

Senate Study Bill 3259

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
AGRICULTURE BILL BY
CHAIRPERSON FRAISE)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for animal feeding operations involving
2 livestock markets.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 6533SC 82
5 da/rj/24

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1 Section 1. Section 459A.103, subsection 3, Code 2007, is
2 amended to read as follows:
3 3. a. In calculating the animal unit capacity of an open
4 feedlot operation, the animal unit capacity shall not include
5 the animal unit capacity of any confinement feeding operation
6 building as defined in section 459.102, which is part of the
7 open feedlot operation.

1 b. Notwithstanding paragraph "a", only for purposes of
2 determining whether an open feedlot operation must obtain an
3 operating permit, the animal unit capacity of the animal
4 feeding operation includes the animal unit capacities of both
5 the open feedlot operation and the confinement feeding
6 operation. In all other respects the confinement feeding
7 operation shall be governed by chapter 459 and the open
8 feedlot operation shall be governed by this chapter.

1 Sec. 2. Section 459A.401, subsection 2, paragraph a,
2 unnumbered paragraph 1, Code Supplement 2007, is amended to
3 read as follows:

1 An open feedlot operation in compliance with the inspection
2 and recordkeeping requirements of 40 C.F.R. pt. 122 and 40

3 C.F.R. pt. 412 applicable to the operation may discharge open
4 feedlot effluent into any waters of the United States due to a
5 precipitation event, if any of the following apply:

1 EXPLANATION

1 Two principal Code chapters regulate animal feeding
2 operations. Code chapter 459 generally regulates animal
3 feeding operations, with the majority of its provisions
4 concerned with confinement feeding operations where animals
5 are confined in totally roofed areas. Code chapter 459A
6 regulates open feedlot operations where animals are otherwise
7 confined to areas where there is no vegetation or forage
8 materials.

1 This bill amends Code section 459A.103 which provides that
2 the size of an open feedlot as calculated using its animal
3 unit capacity (see Code section 459.102) does not include any
4 confinement feeding operation. The bill provides an exception
5 when determining whether the open feedlot operation must have
6 been issued an operating permit by the department. In that
7 case only, the animal unit capacity of the animal feeding
8 operation includes the animal unit capacities of both the open
9 feedlot operation and the confinement feeding operation. The
10 bill provides that for all other purposes, the confinement
11 feeding operation is to be governed by Code chapter 459 and
12 the open feedlot operation is to be governed by Code chapter
13 459A.

1 The bill also amends Code section 459A.401 which provides
2 for the management of open feedlot effluent, by providing that
3 under certain conditions an open feedlot operation may
4 discharge the effluent into any waters of the state due to a
5 precipitation event. The bill provides that the open feedlot
6 operation must be in compliance with federal law including the
7 national pollutant discharge elimination system requirements
8 administered by the United States environmental protection

2 19 agency.
2 20 LSB 6533SC 82
2 21 da/rj/24